

justification for this lies with the spelling *Phororhacos* having been used by practically all authors after 1889 until the publication of Brodkorb's (1967) *Catalogue*, and also because of the fear of confusion resulting from supposedly having to retain the family spelling PHORORHACIDAE even if the genus *Phorusrhacos* were used. These arguments seem neither compelling nor valid, however.

Because the species name *longissimus* must still date from the 1887 publication in the original combination *Phorusrhacos longissimus*, substitution of the junior emendation *Phororhacos* for the generic name would not be without some level of bibliographic confusion itself. For this reason, and because it is always desirable not to circumvent priority unnecessarily, the spelling *Phorusrhacos* should be retained. As Chiappe & Soria have shown, most recent authors, following Brodkorb (1967), have already adopted this usage without undue confusion. The name *Phorusrhacos* is consequently well established in the modern literature, is widely understood, and need not be changed once again.

Contrary to the interpretation of Chiappe & Soria, I do not consider that Article 40a of the Code applies to this case and therefore it is not necessary to retain the name PHORORHACIDAE as the family name to include *Phorusrhacos*. Article 40a states that a family name is to be retained even if it is based on a 'rejected junior synonym'. *Phororhacos*, however, is merely an unjustified emendation of *Phorusrhacos*. PHORORHACIDAE is itself but an emendation of Ameghino's 'PHORORHACOSIDAE', and there is no reason to regard the name PHORUSRHACIDAE as anything more than Brodkorb's (1967) having merely extended this process of emendation.

Because both priority and current usage are in agreement in this case, the International Commission on Zoological Nomenclature is accordingly asked not to invoke its plenary powers to accept the proposals on BZN 47: 199, but instead to support the status quo by placing the following names on the relevant Official Lists:

- (1) *Phorusrhacos* Ameghino, 1887 (gender: masculine), type species by monotypy *Phorusrhacos longissimus* Ameghino, 1887;
- (2) *longissimus* Ameghino, 1887, as published in the binomen *Phorusrhacos longissimus* (specific name of the type species of *Phorusrhacos* Ameghino, 1887);
- (3) PHORUSRHACIDAE Ameghino, 1889 (type genus *Phorusrhacos* Ameghino, 1887) (correction by Brodkorb (1967) of PHORORHACOSIDAE).

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Members of the Standing Committee on Ornithological Nomenclature (SCON) of the International Ornithological Congress have unanimously supported the proposed conservation of *Phororhacos* Ameghino, 1889 and the suppression of *Phorusrhacos* Ameghino, 1887. They noted that the action taken by Brodkorb (1963) was counter to the provisions of the Code in force at that time and that Cracraft (1968, 1969) had rejected *Phorusrhacos* Ameghino, 1887 as a nomen oblitum (although unfortunately he had not submitted an application to the Commission). Although a number of workers have used *Phorusrhacos* Ameghino, 1887 since 1963, the result has been instability and lack of universality. Because relatively few papers have been published on these birds during the past three decades, there has been considerably more use of the generic name *Phororhacos* Ameghino, 1889 in the literature.

Under Article 40 of the Code since 1961 the correct family-group name for this group is PHORORHACIDAE Ameghino, 1889 (type genus *Phororhacos* Ameghino, 1889) regardless of whether the valid name of the genus is *Phororhacos* or *Phorusrhacos*. Proposal of the family-group name PHORUSRHACIDAE by Brodkorb (1963) was counter to the Code. Clarity would be gained by conservation of *Phororhacos* Ameghino, 1889, since otherwise the valid names for the family-group and for its type genus would differ.

Therefore, the SCON supports strongly all six proposals made by Chiappe & Soria on BZN 47: 199.

Comments on the family name for the storm petrels (Aves)

(Case 2024; see BZN 42: 398–400; 44: 44–45; 45: 221–222)

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Melville (BZN 42: 398–400) presented a thorough review of the family names used for the storm petrels (currently HYDROBATIDAE) and the dippers (CINCLIDAE) and a set of proposals to the Commission. Olson (BZN 44: 44–45) objected to the proposals advocated by Melville and in doing so indicated an ignorance of the basic object of the Code 'to promote stability and universality in the scientific names of animals' as stated in the Preamble, and of several of its detailed provisions. In June 1986, at its meeting during the XIX International Ornithological Congress, the members of the Standing Committee on Ornithological Nomenclature (SCON) voted (8 affirmative and 1 negative) to 'affirm its strong acceptance of the Principle of Established Usage as had been adopted at its meeting during the Moscow congress' (Bock, 1988, p. 64). In December 1990, at its meeting during the XX International Ornithological Congress, members of the SCON reviewed Melville's application on HYDROBATIDAE, voted unanimously to support strongly its conclusions and requested that the Commission take prompt action on this case.

When Brodkorb published the first part of his catalogue of fossil birds (1963), the 1961 edition of the Code was in effect. In advocating the name OCEANITIDAE in preference to the name HYDROBATIDAE for the storm petrels, Brodkorb violated three provisions of that Code, namely the Preamble, Article 23b and Article 23d. Most ornithologists, clearly recognizing the chaos which would result from his action, have not followed Brodkorb's lead and continued to use the well-established name HYDROBATIDAE for this group. Improper use of the name OCEANITIDAE for the storm petrels by a few later workers, based on the invalid action by Brodkorb, does not provide a foundation on which to argue that OCEANITIDAE is the valid name for this family-level taxon. For every paper cited by Olson in which the name OCEANITIDAE was used for this family it would be easily possible to list ten or more papers published after 1963 in which HYDROBATIDAE was used. Moreover, all of the major ornithological check-lists and reference works continue to use HYDROBATIDAE.

Based on the provisions of the current Code (3rd edition, 1985), it is clear that the proper name for the storm petrels is HYDROBATIDAE Mathews, 1912 (1865); the presumed homonymy with HYDROBATIDAE Degland, 1849 (p. 445) must be referred to